

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

RICKY GODBOLT

PLAINTIFF

vs.

CIVIL ACTION NO. 3:13-cv-143 HTW-LRA

STATE OF MISSISSIPPI

DEFENDANT

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the court pursuant to United States Magistrate Judge Linda Anderson's Report and Recommendation which clearly notified the respective parties in the above-styled and numbered cause that failure to file written objections to the findings and recommendations contained therein within fourteen (14) days from the date of service would bar further appeal in accordance with Title 28 U.S.C. § 636.

The Magistrate Judge recommended that this court adopt her Report and Recommendation and dismiss this matter without prejudice because petitioner has not exhausted his state law claims.

The petitioner has notified the court that he does not intend to file objections to the Magistrate Judge's recommendation because he acknowledges that he has not exhausted.

Accordingly, finding that all parties are in agreement on the matter of exhaustion, this court hereby dismisses this action without prejudice.

**SO ORDERED, this the 31st day of October, 2013.**

**s/ HENRY T. WINGATE**  
**UNITED STATES DISTRICT JUDGE**